IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 10TH AUGUST 2007 / 19TH SRAVANA 1929

Bail Appl..No. 4846 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.4363/2007 Dated 19/07/2007
CRIME NO.227/2007 OF CHENGANNUR POLICE STATION

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PETITIONER/ACCUSED:

MOHANDAS, AGED 40 YEARS,
S/O.KESAVANASARI, SASTHRAM VEEDU, MULAKUZHAP
W-IV, KARAKKAD MURI, MULAKUZHA VILLAGE.

BY ADV. SRI.P.SREEKUMAR

RESPONDENTS: COMPLAINANT:

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1. CIRCLE INSPECTOR OF POLICE,
CHENGANNUR POLICE STATION, ALAPPUZHA DISTRICT.

2. STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.4846 of 2007

Dated this the 10th day of August 2007

O R D E R

Application for regular bail. The petitioner faces allegations under Section 302 I.P.C. Earlier applications filed by the petitioner were dismissed by this court as per order dated 26/6/2007 and 19/7/2007. It is not necessary to advert to facts in any greater detail as it is submitted and conceded that the petitioner was arrested on 7/5/2007 and the final report has not been filed so far. The petitioner is entitled for bail by default. The petitioner could have claimed it before the learned Magistrate himself. Unnecessarily this application has been filed before this court. Be that as it may, I am satisfied that in the total absence of opposition by the learned Public Prosecutor, the petitioner can now be enlarged on bail subject to appropriate conditions.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not seriously oppose the said prayer and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner shall be released on bail on the following terms and conditions:

i) He shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays, Wednesdays and Fridays until further orders.

iii) The petitioner shall not leave the Sessions divisions of Alappuzha until further orders without the prior permission of the learned Sessions Judge.

Hand over copy of this order to the learned counsel for the petitioner.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007